

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Chloe, LLC
t/a District
2473 18th Street, NW
Retailer CR - ANC-1C
License No. 92742
Case #14-251-00003 and
Case #14-251-00003(a)

Show Cause
Hearing
(Status)

(Interfered With an
Investigation)

October 22, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

AMY SCHMIDT, OAG

P-R-O-C-E-E-D-I-N-G-S

(10:14 a.m.)

CHAIRPERSON MILLER: Is anybody
here from the District? That's the next case.
We heard that some --

MS. SCHMIDT: I am.

CHAIRPERSON MILLER: Okay. You
are here. The other attorney I think is in
Court, so we are going to pass this right now
and go to the next case.

(Whereupon, the above-entitled
matter went off the record at 10:14 a.m. and
resumed at 10:49 a.m.)

MS. SCHMIDT: Have you heard if
District is here?

CHAIRPERSON MILLER: District?

MS. SCHMIDT: Yes, ma'am, we
passed that case.

CHAIRPERSON MILLER: Okay. Yes,
that's good because we are at the end of the
Show Cause Hearing Status cases. So it's good
timing.

1 We are back to the District case.

2 So if you could sign-in and then introduce
3 yourselves when you are ready.

4 MS. SCHMIDT: Has the case been
5 recalled?

6 CHAIRPERSON MILLER: I'm sorry.
7 This is Case No. 14-251-00003 and 14-251-
8 00003(a) District located at 2473 18th Street,
9 NW, License No. 92742, in ANC-1C.

10 MS. SCHMIDT: Good morning, Amy
11 Schmidt, Assistant Attorney General on behalf
12 of the District of Columbia.

13 MR. BIANCO: Good morning, Richard
14 Bianco on behalf of the licensee.

15 CHAIRPERSON MILLER: Okay. Mr.
16 Bianco, did your client get notice of this
17 hearing?

18 MR. BIANCO: Yes.

19 CHAIRPERSON MILLER: Read it,
20 understand it?

21 MR. BIANCO: Yes. Except actually
22 when we originally received notice, the

1 hearing was set for this afternoon, but other
2 than that, the contents of the notice were
3 certainly read and understood.

4 CHAIRPERSON MILLER: Okay. Okay.
5 I'm just looking, you are out of order, so I'm
6 just -- I mean, you are not out of order. The
7 case is out of order. All right.

8 MS. SCHMIDT: Not yet. I'm not
9 yet.

10 CHAIRPERSON MILLER: All right.
11 Are there any preliminary issues in this case?

12 MS. SCHMIDT: Although this is set
13 for status today, because it's set for Show
14 Cause, upon discussing with Mr. Bianco, we
15 would like -- we request another short status
16 for two weeks, so he could speak to his
17 client. I think we can reach an agreement.
18 However, we just need a little more time.

19 And this establishment has been
20 closed since New Year's Day, so it does not
21 pose any threat to the District at this point.

22 CHAIRPERSON MILLER: Okay. You

1 want two weeks, is that what you said?

2 MR. BIANCO: Two weeks. Two weeks
3 is fine.

4 MS. SCHMIDT: Okay.

5 CHAIRPERSON MILLER: Is there a
6 problem? Okay. All right. Then we are going
7 to set this case for November 5th at 9:30 a.m.
8 for status. Okay. Do you have a question?

9 MEMBER ALBERTI: Yes. Okay. So
10 that's a Status Hearing?

11 MS. SCHMIDT: Yes.

12 MEMBER ALBERTI: We don't have a
13 Show Cause date, if one is necessary?

14 MS. SCHMIDT: If it doesn't --
15 because of the -- because of all the officers
16 involved and everything, we are trying to hold
17 off a little bit, because I think this can be
18 resolved. If it's not resolved, then we will
19 have a Show Cause Hearing and we will be more
20 than glad to go forward.

21 MEMBER ALBERTI: And -- so what
22 are we doing about setting that date?

1 MS. SCHMIDT: Hum?

2 MEMBER ALBERTI: We are -- are we
3 not setting that now? We have an
4 understanding that --

5 CHAIRPERSON MILLER: Well, the
6 date --

7 MEMBER ALBERTI: -- that will be
8 set?

9 MS. SCHMIDT: Yes, that will be
10 set. If we don't settle on the 5th, we can
11 set the Show Cause date at that time.

12 MEMBER ALBERTI: All right. Okay.
13 Okay. I just wanted to make sure that that
14 was understood.

15 MS. SCHMIDT: Oh, no, no, it's
16 definitely.

17 MEMBER ALBERTI: Okay.

18 MS. SCHMIDT: We are not leaving
19 this case lapse, no.

20 MEMBER ALBERTI: Thank you.

21 MS. SCHMIDT: Yes.

22 CHAIRPERSON MILLER: Okay. Thank

1 you very much.

2 (Whereupon, the Show Cause
3 (Status) Hearing in the above-entitled matter
4 was concluded at 10:53 a.m.)

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<p>A</p> <p>a.m 2:2,12,13 5:7 7:4</p> <p>above-entitled 2:11 7:3</p> <p>afternoon 4:1</p> <p>agreement 4:17</p> <p>ALBERTI 1:17 5:9 5:12,21 6:2,7,12 6:17,20</p> <p>Alcoholic 1:2,12,13</p> <p>Amy 1:21 3:10</p> <p>ANC-1C 1:7 3:9</p> <p>anybody 2:3</p> <p>Assistant 3:11</p> <p>attorney 2:8 3:11</p> <p>B</p> <p>back 3:1</p> <p>behalf 3:11,14</p> <p>Beverage 1:2,12,13</p> <p>Bianco 3:13,14,16 3:18,21 4:14 5:2</p> <p>bit 5:17</p> <p>Board 1:2,13</p> <p>BROOKS 1:18</p> <p>Building 1:13</p> <p>C</p> <p>case 1:8,8 2:4,10,18 3:1,4,7 4:7,11 5:7 6:19</p> <p>cases 2:21</p> <p>Cause 1:5 2:21 4:14 5:13,19 6:11 7:2</p> <p>certainly 4:3</p> <p>Chairperson 1:14 1:17 2:3,7,16,19 3:6,15,19 4:4,10 4:22 5:5 6:5,22</p> <p>Chloe 1:5</p> <p>client 3:16 4:17</p> <p>closed 4:20</p> <p>Columbia 1:1 3:12</p> <p>concluded 7:4</p> <p>contents 4:2</p>	<p>Control 1:2,12,13</p> <p>Court 2:9</p> <p>CR 1:7</p> <p>D</p> <p>D.C 1:14</p> <p>date 5:13,22 6:6,11</p> <p>Day 4:20</p> <p>definitely 6:16</p> <p>discussing 4:14</p> <p>District 1:1,6 2:4 2:15,16 3:1,8,12 4:21</p> <p>doing 5:22</p> <p>DONALD 1:18</p> <p>E</p> <p>establishment 4:19</p> <p>F</p> <p>fine 5:3</p> <p>forward 5:20</p> <p>G</p> <p>General 3:11</p> <p>glad 5:20</p> <p>go 2:10 5:20</p> <p>going 2:9 5:6</p> <p>good 2:20,21 3:10 3:13</p> <p>H</p> <p>heard 2:5,14</p> <p>hearing 1:6,13 2:21 3:17 4:1 5:10,19 7:3</p> <p>HECTOR 1:19</p> <p>hold 5:16</p> <p>Hum 6:1</p> <p>I</p> <p>Interfered 1:9</p> <p>introduce 3:2</p> <p>Investigation 1:10</p> <p>involved 5:16</p> <p>issues 4:11</p> <p>J</p>	<p>JAMES 1:19</p> <p>K</p> <p>L</p> <p>lapse 6:19</p> <p>leaving 6:18</p> <p>License 1:7 3:9</p> <p>licensee 3:14</p> <p>little 4:18 5:17</p> <p>LLC 1:5</p> <p>located 3:8</p> <p>looking 4:5</p> <p>M</p> <p>ma'am 2:17</p> <p>matter 1:4 2:12 7:3</p> <p>mean 4:6</p> <p>MEETING 1:3</p> <p>Member 1:17,18,18 1:19,19 5:9,12,21 6:2,7,12,17,20</p> <p>met 1:13</p> <p>MIKE 1:18</p> <p>Miller 1:14,17 2:3 2:7,16,19 3:6,15 3:19 4:4,10,22 5:5 6:5,22</p> <p>morning 3:10,13</p> <p>N</p> <p>N.W 1:14</p> <p>necessary 5:13</p> <p>need 4:18</p> <p>New 4:20</p> <p>NICK 1:17</p> <p>notice 3:16,22 4:2</p> <p>November 5:7</p> <p>NW 1:6 3:9</p> <p>O</p> <p>OAG 1:21</p> <p>October 1:11</p> <p>officers 5:15</p> <p>Oh 6:15</p> <p>Okay 2:7,19 3:15 4:4,4,22 5:4,6,8,9 6:12,13,17,22</p>	<p>order 4:5,6,7</p> <p>originally 3:22</p> <p>P</p> <p>P-R-O-C-E-E-D-... 2:1</p> <p>pass 2:9</p> <p>passed 2:18</p> <p>point 4:21</p> <p>pose 4:21</p> <p>preliminary 4:11</p> <p>PRESENT 1:16,20</p> <p>presiding 1:15</p> <p>problem 5:6</p> <p>Q</p> <p>question 5:8</p> <p>R</p> <p>reach 4:17</p> <p>read 3:19 4:3</p> <p>ready 3:3</p> <p>recalled 3:5</p> <p>received 3:22</p> <p>record 2:12</p> <p>Reeves 1:13</p> <p>request 4:15</p> <p>resolved 5:18,18</p> <p>resumed 2:13</p> <p>Retailer 1:7</p> <p>Richard 3:13</p> <p>right 2:9 4:7,10 5:6 6:12</p> <p>RODRIGUEZ 1:19</p> <p>Room 1:13</p> <p>Ruthanne 1:14,17</p> <p>S</p> <p>Schmidt 1:21 2:6 2:14,17 3:4,10,11 4:8,12 5:4,11,14 6:1,9,15,18,21</p> <p>set 4:1,12,13 5:7 6:8,10,11</p> <p>setting 5:22 6:3</p> <p>settle 6:10</p> <p>short 1:19 4:15</p> <p>Show 1:5 2:21 4:13</p>	<p>5:13,19 6:11 7:2</p> <p>sign-in 3:2</p> <p>SILVERSTEIN 1:18</p> <p>sorry 3:6</p> <p>speak 4:16</p> <p>status 1:6 2:21 4:13 4:15 5:8,10 7:3</p> <p>Street 1:6,14 3:8</p> <p>Suite 1:14</p> <p>sure 6:13</p> <p>T</p> <p>t/a 1:6</p> <p>Thank 6:20,22</p> <p>think 2:8 4:17 5:17</p> <p>threat 4:21</p> <p>time 4:18 6:11</p> <p>timing 2:22</p> <p>today 4:13</p> <p>trying 5:16</p> <p>two 4:16 5:1,2,2</p> <p>U</p> <p>understand 3:20</p> <p>understanding 6:4</p> <p>understood 4:3 6:14</p> <p>V</p> <p>W</p> <p>want 5:1</p> <p>wanted 6:13</p> <p>Washington 1:14</p> <p>weeks 4:16 5:1,2,2</p> <p>went 2:12</p> <p>X</p> <p>Y</p> <p>Year's 4:20</p> <p>Z</p> <p>0</p> <p>00003(a) 3:8</p>
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